

Introduced by Senator Florez

February 7, 2007

An act to add Article 5 (commencing with Section 113500) to Chapter 11 of Part 6 of Division 104 of the Health and Safety Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 202, as introduced, Florez. Agriculture: leafy green vegetable crop traceback.

Existing law provides that the Secretary of Food and Agriculture shall establish, by regulation, uniform standards for field crop producers, establish inspection districts within the state, and provide sampling, inspection, and certification service for field crop products within the state, as specified. Existing law also states legislative findings and declarations that the people have a primary interest in the sanitary conditions under which food crops are grown and harvested for human consumption and in the health and related sanitary conditions under which the workers are employed in the growing and harvesting of food crops.

This bill would require growers, handlers, and processors of leafy green vegetables to employ a coded lot numbering system, using Julian dating, that allows for each piece of product they produce, handle, or process to be traced in the production, distribution, and marketing chain to or from the field in which it was grown and the facility in which it was processed, as specified. This bill would also require growers, handlers, and processors of leafy green vegetables to establish written procedures employing their coded lot numbering system to respond to a department recall affecting leafy green vegetables and to initiate a recall of leafy green vegetables grown, handled, or processed in their

field or facility. This bill would require growers, handlers, and processors of leafy green vegetables to identify recall coordination teams within their operations that shall ensure that product can be identified and removed from the production, distribution, and marketing chain rapidly and to conduct a mock recall each year. This bill would also authorize the State Department of Public Health to adopt regulations to carry out these provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 5 (commencing with Section 113500) is
2 added to Chapter 11 of Part 6 of Division 104 of the Health and
3 Safety Code, to read:

4
5 Article 5. Leafy Green Vegetable Crop Traceback
6

7 113500. (a) Growers, handlers, and processors of leafy green
8 vegetables shall employ a coded lot numbering system, using Julian
9 dating, that allows for each piece of product they produce, handle,
10 or process to be traced backwards and forwards in the production,
11 distribution, and marketing chain that ends with the consumer, to
12 or from the field in which it was grown and the facility in which
13 it was processed.

14 (b) Growers, handlers, and processors of leafy green vegetables
15 shall maintain documentation of the Julian code dated lot
16 numbering system employed pursuant to subdivision (a), as
17 required by regulations adopted by the State Department of Public
18 Health, in a manner that allows for inspection by county health
19 inspectors and agricultural commissioners for a specified period
20 of time, not less than three years, as determined by the department.

21 (c) Growers, handlers, and processors of leafy green vegetables
22 shall establish written procedures employing their Julian code
23 dated lot numbering system to respond to a department recall
24 affecting leafy green vegetables and to initiate a recall of leafy
25 green vegetables grown, handled, or processed in their field or
26 facility.

27 (d) Growers, handlers, and processors shall be prepared to
28 communicate information concerning the Julian code dated lot

1 numbering system employed by their field or facility to other
2 growers, handlers, and processors with whom they regularly
3 conduct business.

4 113502. Every grower, handler, and processor of leafy green
5 vegetables shall identify within its operation a recall coordination
6 team that shall ensure that product can be identified and removed
7 from the production, distribution, and marketing chain ending with
8 the consumer, rapidly. The tasks performed by the teams shall
9 include, but are not limited to, all of the following:

10 (a) Testing the overall effectiveness of the grower's, handler's,
11 or processor's procedures for responding to a department recall
12 affecting leafy green vegetables and for initiating a recall of leafy
13 green vegetables grown, handled, or processed in their field or
14 facility.

15 (b) Evaluating the reliability and accuracy of the grower's,
16 handler's, or producer's Julian code dated lot numbering system
17 and the documentation thereof.

18 (c) Evaluating the time it takes the grower, handler, or processor
19 to a State Department of Public Health recall affecting leafy green
20 vegetables.

21 (d) Evaluating the flow of information to and from other
22 growers, handlers, and processors with whom business is regularly
23 conducted concerning the Julian code dated lot numbering system
24 employed by those growers, handlers, shippers, and processors.

25 (e) Identifying opportunities for improving the grower's,
26 handler's, or producer's Julian code dated lot numbering system.

27 113504. Every grower, handler, and processor of leafy green
28 vegetables shall conduct a mock recall each year at the beginning
29 of the leafy green vegetable growing season to determine the
30 efficacy of their procedures for responding to a department recall
31 affecting leafy green vegetables and for initiating a recall of leafy
32 green vegetables grown, handled, or processed in their fields or
33 facilities.

34 113509. The State Department of Public Health shall adopt
35 regulations to carry out the provisions of this article.